

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA**

CIVIL BENCH TRIAL

Owner-Operator Independent Drivers Association,
et al.,

Plaintiffs,

v.

Mark Dunaski, et al.,

Defendants.

COURT MINUTES

Case Number: CV. 09-1116 DWF/RLE

Date:	September 13, 2010
Court Reporters:	Jeanne Anderson Carla Bebault
Time Commenced:	9:07 a.m. / 1:45 p.m.
Time Concluded:	12:30 p.m. / 5:32 p.m.
Time in Court:	7 Hours & 10 Minutes

Trial before Donovan W. Frank, United States District Judge, at St. Paul, Minnesota.

APPEARANCES:

For Plaintiff: Paul Cullen, Sr., Paul Cullen, Jr., Daniel Cohen, James Johnston, Albert Goins
For Defendant: Marsha Eldot, Devine, Thomas Vasley

PROCEEDINGS:

- ☐ **Jury Selection.**
- ☒ **BENCH Trial - Began.**
- ☐ **BENCH Trial - Ended**
- ☐ Jury impaneled (File list of jurors).
- ☒ Opening statements.
- ☒ **BENCH Trial Held.**
- ☒ Trial continued to September 14, 2010.
- ☒ Plaintiff's witnesses: James Johnston, Stephen House
- ☐ Defendant's witnesses:
- ☐ Plaintiff rests. ☐ Defendant rests.
- ☐ Closing arguments.
- ☐ Jury received case at.
- ☐ Jury resumed deliberations on.
- ☐ Jury returned at without verdict. IT IS ORDERED: to separate and to return and resume deliberations on.

- ☐ Verdict Rec'd at for:
 - ☐ Plaintiff
 - ☐ Defendant

- ☐ Court's Ruling:
 - ☐ Judgment in favor of Plaintiff.
 - ☐ Judgment in favor of Defendant.

IT IS ORDERED:

- ☐ Oral motion to dismiss for judgment as a matter of law.
- ☐ Clerk to file Verdict and enter Judgment.
- ☐ Clerk to file Verdict, but withhold entry of Judgment until further order.
- ☐ Clerk to file Order.
- ☐ Clerk to file Order and enter Judgment.
- ☐ Clerk to enter Judgment.
- ☐ Written order forthcoming.
- ☐ Case submitted.

CLERK'S USE ONLY:

- ☐ Number of trial days with evidence - .
- ☐ Exhibits returned to counsel or parties.

s/B. Schaffer
Signature of Calandar Clerk